

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES of AMERICA,

Action No. 1:04-cr-10286 PBS

v.

MICHAEL W. ALCOTT,  
Defendant.

MOTION TO FILE EXCESS PAGES

N O W C O M E S defendant, Michael W. Alcott, and moves, respectfully, for an order permitting defendant to exceed the page limit for briefs imposed by the Local Rules. LR 7.1(b)(4) reads in pertinent part as follows: "*Length of Memoranda*. Memoranda supporting or opposing allowance of motions shall not, without leave of court, exceed twenty (20) pages, double-spaced." Counsel believes that granting this motion will serve the interests of justice. Mr. Alcott's case presents a complex fact pattern and much new law has evolved since the Supreme Court decided *United States v. Booker*, 125 S. Ct. 738, 748-50 (2005). See, e.g., *United States v. Jiminez-Beltre*, No. 05-1268 (1 Cir., March 8, 2006)(Boudin, CJ, for the majority, holding that Guidelines not presumptively reasonable, with concurrences and Lipez, J., dissenting). Counsel believes that a limit of thirty-five double-spaced pages would be sufficient. AUSA Jack Pirozzolo does not oppose this motion.

Dated this 8<sup>th</sup> day of March, 2006 at Boston, Massachusetts.

/s./ Kevin L. Barron

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CERTIFICATE OF SERVICE

Counsel certifies that he has served AUSA Jack Pirozzolo, Esq., electronically with a true copy of this motion by the CM/ECF of this District today on February 8, 2006. No party requires service by mail.

/s./ Kevin L. Barron

Kevin Lawrence Barron BBO550712